

REMARKS**I. STATUS OF THE CLAIMS:**

Claims 1-22 and 28-30 are pending in the instant application. All claims have been rejected. No new matter is introduced.

II. RESPONSE TO THE CLAIM OBJECTIONS:

Claim 14 is objected to because of the following informalities: Delete in item b the term “significantly” as it does not limit the scope of the claim and replace with another appropriate term that correctly defines the claim as intended. Appropriate correction is required.

In response, the above amendment to the claims is believed to resolve this objection.

III. RESPONSE TO THE CLAIM REJECTIONS – 35 USC § 112, PARAGRAPH 1

Claims 1, 14 and 28, were rejected under 35 USC § 112, First Paragraph for reciting “. . . a low power, low data rate communication link”.

In response, the above amendment to the claims is believed to resolve this rejection.

IV CLAIM REJECTIONS – 35 USC § 103(a)

Claims 1-21, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miao (USP 7,046,716 B1) in view of Salokannel et al (US 2005/0058107 A1).

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miao (USP 7,046,716 B1) in view of Salokannel (US 2005/0058107 A1), further in view of Woolgar et al (US 7,135,985 B2).

V RESPONSE TO THE CLAIM REJECTIONS – 35 USC § 103(a)

Claims 1-22 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salokannel et al (US 2005/0058107 A1) in combination with Miao or in combination with Miao and Woolgar.

The subject matter of Salokannel et al (US 2005/0058107 A1) and the Applicant's claimed invention were, at the time the claimed invention was made, commonly owned by Nokia Corporation. Title 35 U.S.C. §103(c)(1) reads as follows:

“(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person.

Title 35 U.S.C. §102(e) reads as follows:

“(e) the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent ...”

The filing date of Applicant's above identified application was September 12, 2003. The filing date of the Salokannel reference was September 12, 2003, which establishes the Salokannel reference as being in the category of §102(e) prior art. Thus, in accordance with §103(c), the Salokannel reference is not valid prior art to the Applicant's claimed invention for the purpose of an obviousness rejection. The Examiner is respectfully requested to withdraw all claim rejections to Claims 1-22 and 28-30 based on alleged obviousness combinations of the Salokannel reference with any other reference.

CONCLUSION

Applicants have amended the claims to overcome the objections and rejections. Entry of the amendment, allowance of the claims and passage to issue of the application are requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 50-4827, Order No. 1004289-136US (4208-4146).

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-4827, Order No. 1004289-136US (4208-4146).

Respectfully submitted,

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